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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/745,305	12/21/2000	Peter Tavernese JR.	NTL-3.2.149/3550 . (12767HU	2060	
Mintz, Levin, Cohn, Ferris, Glovsky & Popeo P.C. 666 Third Avenue			EXAMINER		
			NGUYEN, QUYNH H		
24th Floor New York, NY 10017			· ART UNIT	PAPER NUMBER	
			2614		
			MAIL DATE	DELIVERY MODE	
			01/11/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.	Applicant(s)	
09/745,305	TAVERNESE, PETER	
Examiner	Art Unit	
Quynh H. Nguyen	2614	

Before the Filips of an Annual Brief						
Before the Filing of an Appeal Brief	Examiner	Art Unit				
·	Quynh H. Nguyen	2614				
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress			
THE REPLY FILED <u>13 December 2006</u> FAILS TO PLACE THIS	S APPLICATION IN CONDITION FO	OR ALLOWANCE.				
 The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods: 	wing replies: (1) an amendment, aff tice of Appeal (with appeal fee) in o ce with 37 CFR 1.114. The reply mu	idavit, or other eviden compliance with 37 Cl	ce, which FR 41.31; or (3)			
a) The period for reply expiresmonths from the mailing b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire to Examiner Note: If box 1 is checked, check either box (a) or (TWO MONTHS OF THE FINAL REJECTION. See MPEP 7)	dvisory Action, or (2) the date set forth ater than SIX MONTHS from the mailing (b). ONLY CHECK BOX (b) WHEN THE 06:07(f).	g date of the final rejection of the FIRST REPLY WAS F	on. ILED WITHIN			
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of exunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amount shortened statutory period for reply origing than three months after the mailing day.	of the fee. The appropri inally set in the final Office te of the final rejection, e	ate extension fee ce action; or (2) as even if timely filed,			
 The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter a Notice of Appeal has been filed, any reply must be filed 	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of th				
AMENDMENTS						
 The proposed amendment(s) filed after a final rejection, (a) They raise new issues that would require further co. 			ecause			
(b) They raise the issue of new matter (see NOTE belo	•	i L below),				
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or						
(d) They present additional claims without canceling a NOTE: (See 37 CFR 1.116 and 41.33(a)).	corresponding number of finally rej	ected claims.				
4. The amendments are not in compliance with 37 CFR 1.13	21. See attached Notice of Non-Co	mpliant Amendment	PTOL-324).			
5. Applicant's reply has overcome the following rejection(s)			•			
6. Newly proposed or amended claim(s) would be all non-allowable claim(s).		timely filed amendme	nt canceling the			
7. Tor purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is protected. The status of the claim(s) is (or will be) as follows:		il be entered and an e	xplanation of			
Claim(s) allowed: <u>None</u> . Claim(s) objected to: <u>None</u> .						
Claim(s) objected to: <u>None.</u> Claim(s) rejected: <u>1 and 3-29</u> .	•	•				
Claim(s) withdrawn from consideration: None.						
AFFIDAVIT OR OTHER EVIDENCE						
 The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e). 						
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary	vercome <u>all</u> rejections under appea	al and/or appellant fai	ls to provide a			
10. 🔲 The affidavit or other evidence is entered. An explanation	· ·					
REQUEST FOR RECONSIDERATION/OTHER						
 The request for reconsideration has been considered bu <u>See Continuation Sheet.</u> 		n condition for allowar	ice because:			
12. Note the attached Information Disclosure Statement(s).	(PTO/SB/08) Paper No(s)					
13. Other:		Edupah H. Ngu	yen			
·		Quynh H. Nguyen 571-272-7489				

U.S. Patent and Trademark Office PTOL-303 (Rev. 08-06)

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments have been fully considered but are not pursuasive.

Applicant argues that in Bateman, the agent's computer 18 uses the information originated by the customer to retrieve and display other information, not the information originating from the calling party. Examiner respectfully submits that the URL and/or CLID information came from the calling party and displayed on agent's terminal (col. 8, lines 52-65). Furthermore, the agent's computer 18 can use the URL to retrieve and display the corresponding web page; and use the CLID information to retrieve and display customer account information, these displayed information based on the URL and /or CLID information originating from the calling party. Without these information originating from the calling party, there would be no information originating from the calling party to be displayed.

Applicant argues that regarding the secondary reference Wolff cited by Examiner for 103 rejection that when the end-user of computer 18 desires to establish a voice connection with a caller, the end user sends a text message to the end-user's electronic receptionist, and not the caller. Examiner respectfully disagrees. Wolff teaches sending a message "Please hold for X minutes" to the calling party (Fig. 8); at the end of X minutes holding, a voice connection established with the caller. The motivation is that while the agent putting caller on hold, the agent can look / search for requested information and provided to the caller.

Applicant requests Examiner to provide a reference to support the notoriously well known in the art of ACD the feature of using a soft-key or graphical button on the GUI to initiate a message being sent from th CSRS to the calling party. Examiner respectfully submits that the features are taught by Wolff (Fig. 8; col. 6, lines 37-45; col. 4, line 55 through col. 5, line 12).